

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Agricultural Marketing Department – Departmental proceedings initiated against Sri K.K.A.S.Sarma, Ex-Secretary Grade-II, A.M.C., Guntur and Retired Secretary Grade-II, AMC, Attili, West Godavari District for certain allegations of irregularities in sanction of R.B.P.loans to (13) farmers on bogus certificates in A.M.C. Guntur – Imposing of penalty under Rules 9 of A.P.Revised Pension Rules, 1980 – Orders – Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No. 1411

Dated:06-10-2010

Read the following:-

- 1) Progs. No.DC(2)302/2003, dt.26-08-2003 of C&DOM, Hyderabad.
- 2) Progs. No.DC(2)302/2003, dt.06-11-2003 of C&DOM, Hyderabad.
- 3) Procs.No.302/2003, dt.11-06-2004 of C&DOM, Hyderabad.
- 4) From Sri K.K.A.S. Sarma, Secretary Grade-II, Appeal Petition, dt.07-08-2004.
- 5) Govt.Memo No. 12656/Vig.II(1)2004-4, dt.31-01-2006.
- 6) From APAT order dt.20-08-2008 in O.A.No.1504/2006 filed by Sri K.K.A.S.Sarma, Secretary Grade –II.
- 7) From Sri K.K.A.S.Sarma, Secretary Grade –II(Retired), Representation dt.24-08-2008.
- 8) Govt.Letter 12656/Vig.II(1)/2004-11, dt.10-07-2009.
- 9) From Secretary, APPSAC, Hyd.Lr.No.936/RT-I/3/2009, dt.12-11-2009.
- 10) Govt.Memo No.12656/Vig.II(1)/2004-13, dt.01-12-2009.
- 11) From Sri K.K.A.S.Sarma, Secretary Grade-II(Retired), Representation, dt.22-01-2010.
- 12) Govt.Letter 12656/Vig.II(1)/2004-14, dt.15-06-2010..
- 13) From Secretary, A.P.P.S.C.,Hyd. Lr.No.936/RT-I/2009, dt.09-09-2010.

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ORDER:

In this disciplinary case, the Commissioner & Director of Agricultural Marketing, Hyderabad had placed Sri K.K.A.S.Sarma, Secretary Grade-II, A.M.C., Guntur under suspension vide reference 1st read above and also initiated disciplinary proceedings by framing the following article of charge against him vide reference 2nd read above:-

Article of Charge: *“That Sri K.K.A.S.Sarma, while working as Secretary Grade-II, A.M.C., Guntur, had issued Rythu Bandhu Pathakam loans to the farmers irregularly without verifying the Pattadar Pass Books as per guidelines issued resulting loans were sanctioned to the persons who are not actually farmers. Thus he failed to perform his official duties and violated the instructions of higher authorities.”*

2. After following due procedure, the Commissioner & Director of Agricultural Marketing, Hyderabad imposed a penalty of “Stoppage of two annual grade increments without cumulative effect” against Sri K.K.A.S.Sarma, Secretary Grade-II, A.M.C. Vijayawada and reinstated the individual into service vide reference 3rd read above.

3. Aggrieved by the above penalty, Sri K.K.A.S.Sarma, Secretary Grade-II has filed Appeal Petition dt.7-8-2004 before Government. Sri K.K.A.S.Sarma, Secretary Grade-II, in his further representation dt.4-10-2004, has submitted that he was satisfying the punishment issued by the Commissioner & Director of Agricultural Marketing and therefore, he has requested to withdraw his appeal petition, accordingly.

4. Government, after careful examination of the entire matter, have observed that Sri K.K.A.S.Sarma has colluded with the (13) farmers initially and instead of verifying pattadar passbooks recommended for sanction of loans under R.B.P. Scheme on bogus certificates issued by the concerned Village Assistants and decided to review the case in exercise of powers under Section 27 and 27A of A.P.Markets Act, 1966. Accordingly, Show Cause Notice was issued against Sri K.K.A.S.Sarma, Secretary Grade-II with a direction to show cause as to why the penalty commensurate with the gravity of the charge proved against him should not be imposed vide reference 5th read above.

5. Aggrieved by the above Show Cause Notice, Sri K.K.A.S.Sarma, Secretary Grade-II has filed an O.A.No.No.1504/2004 before A.P. Administrative Tribunal and obtained stay orders dt.14-03-2006 of all further proceedings. The individual was retired from service on attaining the age of superannuation w.e.f. 31-08-2007.

(PTO)

6. The A.P. Administrative Tribunal, in its judgment dt.20-08-2008, in the above O.A.No.1504/2006 have ordered as follows:-

“.....in these circumstances, this O.A. is disposed of permitting the applicant to submit a detailed explanation to the impugned show cause notice within a period of two weeks from today. If, the explanation of the applicant is not received within two weeks from today as directed, the 1st respondent shall consider the same and pass final orders in accordance with Law”.

7. In the light of the orders dt.20-08-2008 of the A.P. Administrative Tribunal, Sri K.K.A.S.Sarma, Secretary Grade-II(Retired) has submitted a representation dt.24-08-2008 to the Show Cause Notice dt.31-01-2006 and requested to drop the show cause notice and issue necessary directions for release of his terminal benefits.

8. Government, after careful examination of the entire matter, have provisionally decided to impose a penalty of withholding of 50% pension permanently against the Charged Officer Sri K.K.A.S.Sarma, Secretary Grade-II(Retired) under Rule 9 of A.P.Revised Pension Rules, 1980. Accordingly, the matter was referred to A.P.Public Service Commission for their concurrence vide reference 8th read above.

9. In the reference 9th read above, the Secretary, A.P.Public Service Commission, Hyderabad has informed that the Commission advised to issue revised show cause notice as per A.P.Revised Pension Rules, 1980 specifying the punishment and obtain the explanation of the C.O. Sri K.K.A.S.Sarma, Ex-Secretary Grade-II, A.M.C., Guntur and forward the same to the Commission with the view of the Govt. on the reply to the Show Cause Notice for further examination of the disciplinary case. Accordingly, Show Cause Notice was issued to Sri K.K.A.S.Sarma, Secretary Grade-II(Retired) vide reference 10th read above.

10. In response to the above Show Cause Notice, Sri K.K.A.S.Sarma, Secretary Grade-II(Retired) has submitted his representation dt.22-01-2010 and requested to drop further action against him.

11. Government, after careful examination with reference to record of inquiry, findings of Inquiry Officer and representation submitted by the Charged Officer to the Show Cause Notice, have decided to impose a penalty of withholding of 50% pension permanently against the Charged Officer Sri K.K.A.S.Sarma, Secretary Grade-II(Retired) under Rule 9 of A.P.Revised Pension Rules, 1980. Accordingly, the matter was referred to A.P.Public Service Commission for their concurrence vide reference 12th read above.

12. In the reference 13th read above, the Secretary, A.P.Public Service Commission, Hyderabad has informed that the Commission agreed with the proposal of the Government to impose a penalty of 50% cut in pension permanently against Sri K.K.A.S.Sarma, Secretary Grade-II (Retired) under Rule 9 of A.P.Revised Pension Rules, 1980.

13. Government, after careful examination of the entire matter, have decided to impose a penalty of withholding of 50% pension permanently against Sri K.K.A.S.Sarma, Secretary Grade-II(Retired) under Rule 9 of A.P.Revised Pension Rules, 1980 duly cancelling the penalty of withholding of two annual grade increments without cumulative effect against Sri K.K.A.S.Sarma, Secretary Grade-II awarded by Director of Marketing, Hyderabad vide referenced 3rd read above, as a penalty commensurate with the gravity of charge held proved against him, in the above disciplinary case.

14. Accordingly, Government hereby order to impose a penalty of withholding of 50% pension permanently against Sri K.K.A.S.Sarma, Secretary Grade-II(Retired) under Rule 9 of A.P.Revised Pension Rules, 1980 duly cancelling the penalty of withholding of two annual grade increments without cumulative effect against Sri K.K.A.S.Sarma, Secretary Grade-II awarded by Director of Marketing, Hyderabad vide reference 3rd read above, in the above disciplinary case.

15. The Commissioner and Director of Agricultural Marketing, Hyderabad shall take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. R. KISHORE
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri K.K.A.S.Sarma, Secretary Grade-II(Retired), A.M.C.

(Through: The Commissioner & Director of Agricultural Marketing, A.P., Hyderabad)

Copy to:-

The Commissioner & Director of Agricultural Marketing, A.P., Hyderabad.

The Secretary, A.P.Vigilance Commission, Hyderabad.

The Secretary, A.P.Public Service Commission, Hyderabad.

Sc/Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER